

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 3104 OF 2022**

Rohit Bhimrao Mohite

...Applicant

Versus

The State of Maharashtra and anr.

...Respondents

.....

Ms. Vilasini B. i/b Mr. Jaydeep Mane for the Applicant.

Mr. P.H. Gaikwad Patil, APP for the State.

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CORAM : N.R. BORKAR, J.

DATED : 27 FEBRUARY 2023

P.C. :-

This is an application filed under Section 439 of the Code of Criminal Procedure, 1973 for bail.

2. Respondent No. 2 herein has filed the complaint case against the present applicant for the offences punishable under Sections 498-A, 323, 504, 506, 419 r/w 34 of the Indian Penal Code.

3. It appears that that applicant did not appear before the trial Court pursuant to process issued against him for the abovesaid offences and thus the trial Court was constrained to issue warrant against him. Pursuant to said non-bailable warrant, on 29 July 2022, the applicant was produced before the trial Court.

4. The application for bail was thereafter filed⁰ before the Sessions Court. The Sessions Court rejected it by order dated 22 August 2022.

5. The applicant is in jail for more than six months. The basic reason for filing the complaint case appears to be matrimonial dispute. Considering the overall facts and circumstances, I am inclined to release the applicant on bail. Hence, the following order is passed:

- (i) Application is allowed.
- (ii) The applicant- Rohit Bhimrao Mohite, who is in judicial custody in Regular Criminal Case No. 82 of 2015 on the file of Judicial Magistrate (First Class), Atpadi Dist. Sangli shall be released on bail on furnishing PR bond in the sum of Rs. 25,000/- with one or two sureties in the like amount.

(N.R. BORKAR, J.)